



Journal of the Senate

Number 4—Special Session B

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CALL TO ORDER

The Senate was called to order by President McKay at 10:00 a.m. in lieu of 9:00 a.m. A quorum present—40:

Mr. President	Geller	Pruitt
Brown-Waite	Holzendorf	Rossin
Burt	Jones	Sanderson
Campbell	King	Saunders
Carlton	Klein	Sebesta
Clary	Latvala	Silver
Constantine	Laurent	Smith
Cowin	Lawson	Sullivan
Crist	Lee	Villalobos
Dawson	Meek	Wasserman Schultz
Diaz de la Portilla	Miller	Webster
Dyer	Mitchell	Wise
Futch	Peadar	
Garcia	Posey	

PRAYER

The following prayer was offered by Senator Brown-Waite:

Lord, help America and please bless us, your legislative servants. Guide us as a nation, and as individuals, to our higher purpose. Unite our hearts in kindness and may we always seek the best in each other. Help us to avoid those things that would cause us moral decay. Direct our hearts to seek what is righteous and pleasing to you, our Lord.

Grant us, as leaders, wisdom and the strength to do what is right. Help us to be responsible in our actions and to not surrender to what may be the easy—but wrong decision. Protect those who selflessly protect our freedom, liberty and life.

We are grateful that our nation has had a reawakening of patriotism and that red, white and blue are no longer just three colors. Americans now fly these three colors in the flag and proudly proclaim the three words: "God Bless America." We pray that your grace covers this land, from sea to shining sea. May we as your humble servants in the Florida Senate, be blessed by you, Lord, today and forever. Amen.

PLEDGE

Senator Futch led the Senate in the pledge of allegiance to the flag of the United States of America.

REMARKS BY PRESIDENT JOHN M. MCKAY

Senators, could I ask you to take your seats, and could I share a few comments with you before we proceed with the calendar?

I would like to share with you what I have that some of you have participated in with regard to events that have transpired since we left the chamber last week. The House indicated intention of taking up the Senate's Appropriations Bill in lieu of its own. My initial reaction, as you might have read in the paper, was one of shock, not because our bill is inadequate, but because the House's apparent action was an abandonment of the legislative procedures that have been in place in the Florida Legislature for as long as anyone can remember.

However, upon further reflection, although the procedure the House was taking or the path they were taking was unconventional to say the least, it turned out to be a pretty good idea because the Senate bill is far better than the one contemplated by the House. Thanks to the hard work of Senator Sullivan and his subcommittee members, the Senate bill did not cut education as deeply as did the House bill. Thanks to the hard work of Senator Silver and his subcommittee members, the Senate bill did not cut health and human services as deeply as did the House bill.

But still our bill could have been made better in conference. The path the House is taking ignores that conference process, one of the important processes of a bicameral Legislature, and I think that is a mistake. It could have been made better because we could have taken a lesser amount from the budget stabilization fund, \$150 million, and coupled that with \$150 million from trust funds. That would leave the Comptroller in a far better position to deal with future problems of our state.

In addition, our budget was built upon recapturing the intangible tax revenue that we repealed. It is quite obvious to all of us that the House's tactics were meant to avoid the repeal or even a delay of the intangible tax revenue that we have previously benefited from. One can only conclude that the House would prefer to cut education and health and human services, while giving tax breaks to the wealthy out of the state's savings account. That is unacceptable to me. I trust that is unacceptable to you. It is just plain wrong.

In addition, our budget provides for better management practices, as it will allow a phasing out of some programs rather than cutting them off immediately by utilizing nonrecurring funds for some of the cuts.

If General Motors decided they wanted to close a plant in Anytown, USA, they would not walk in on Thursday and say, we are going to padlock the doors on Friday. They would say, we are going to close this plant in a methodical manner over six months or a year or two years. We ought to run government the same way. That just makes good sense.

I would also like to bring to your attention an additional perspective of the House with regard to the Revenue Estimating Conference. The House believes that future revenue estimating conferences will call for more cuts. And that may very well be correct. It may also be incorrect. However, what we need to focus on is that this process, the revenue estimating conference, has been a beacon to guide us in our budgetary process for a very long time. They provide an objective and a nonpartisan forecast of our budget. If we abandon that guidepost at the present time and subjectively say we need more cuts, what will prevent a future Legislature from saying, well, even though the Revenue Estimating Conference says we expect \$3 billion more next year, we really think we are going to get \$4 billion more, so we are going to spend \$4 billion more of the taxpayers' dollars. That is budget folly. It is a mistake that we should not undertake, and we are not undertaking, we are cutting the amount that the Revenue Estimating Conference directed us to cut.

I would like to tell you what I would like to do today, and I would like to tell you what I expect the House may do. And “may” is the operative word because I really do not know and I do not think anyone in this chamber knows or anyone else, perhaps, outside of the Speaker’s office.

They may very well pass our budget. And, as I already said, our budget was built upon at least a delay in the intangibles tax. So, we are going to reconsider the vote, and with your approval, of course, we are going to reconsider the vote by which Senator Carlton’s bill on legislative pay raise passed. And then we will take up Representative Fasano’s bill on legislative pay raises instant, and we will add to that bill which eliminates the raise that we received, and the Governor, all Cabinet members and all elected officials received. We will amend to that bill a two-year delay in the repeal of the intangible tax that we passed last session. A two-year delay is more important than a one-year delay because we will need that \$130 million to construct next years’ budget. And I do not want to go through this fight as you do not want to go through this fight during the next legislative session.

In addition, we will take up bills on economic development today and we will amend some of those bills with the same language with regard to the intangible tax. Further, if the House wishes to pass the Senate’s Appropriations Bill, we are going to make sure that we proceed with regard to that in a constitutional manner. So, with your permission, we will introduce another Appropriations Bill. The only difference between the one we passed the other day and the one we are going to introduce today—we would like to introduce today—has to do with the level of moneys coming out of the budget stabilization fund, as I already commented. We will take that up on second reading and then roll to third reading, and then leave it on your desk for 72 hours to make sure that our actions are constitutional.

We will not be taking up the security bills because we agreed with the Governor early on that if we could not reach consensus, it would be unwise during a short special session to address the security issues. And it appears that there is little consensus with regard to those issues.

I have been doing some research over the past few days, and one of the quotes, as I was reading was that we are “a government of laws, and not of men.” That is a quote from John Adams. We cannot afford to change the rules of the legislative process every time it suits someone’s narrow political purpose. The behavior that we are witnessing may be an unfortunate consequence of term limits, an increasing deterioration of an institutional memory. That memory serves as a basis for inclusive deliberations, something that we value in this chamber.

Future legislators must understand that an orderly process is necessary for government. If we do not have expectations of an orderly budget process, there is reason to assume that your first vote on the budget may be your last, and we will not be able to accept goodwill statements of the Chairman of the Appropriations Committee or the chairman of subcommittees that we will address an issue in conference when our collective minds can best focus on an issue. It is that deliberate process that our constituents must be able to count on. We must have rules. And, with your support, I will make sure that all the resources in the Senate are brought to ensure that the chaos created last Thursday will not be revisited upon us during the regular session or on future legislatures. To do otherwise would be an abdication of my responsibility and a disservice to our constituents.

Thank you very much for your attention and thank you very much for your support.

RECONSIDERATION OF BILL

On motion by Senator Carlton, the rules were waived and by two-thirds vote the Senate reconsidered the vote by which—

CS for SB 22-B—A bill to be entitled An act relating to compensation of state officials; prescribing the salary rate for specified state officials; providing an expiration date and an effective date.

—as amended passed October 25.

On motion by Senator Carlton, further consideration of **CS for SB 22-B** was deferred.

CONSIDERATION OF BILL OUT OF ORDER

On motion by Senator Carlton, by unanimous consent—

HB 1-B—A bill to be entitled An act relating to compensation of legislators; amending s. 11.13, F.S.; reducing the compensation of legislators for a specified period; providing for future repeal of such reduction; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Carlton moved the following amendment which was adopted:

Amendment 1 (765054)(with title amendment)—delete everything after the enacting clause and insert:

Section 1. *Notwithstanding paragraph 11.13(1)(b), Florida Statutes, or any other law, the salary of members of the Senate and House of Representatives shall not be as calculated according to that paragraph; instead, those members shall be paid salary at the rate that existed on June 30, 2001. In addition, the salary of the Governor, the Lieutenant Governor, the members of the Cabinet, and the heads of all departments of the executive branch shall be that which existed on June 30, 2001. This section expires June 30, 2002.*

Section 2. Effective January 1, 2002, subsection (2) of section 199.185, Florida Statutes, is amended to read:

199.185 Property exempted from annual and nonrecurring taxes.—

(2) Every natural person is entitled each year to an exemption of the first \$20,000 ~~\$250,000~~ of the value of property otherwise subject to the annual tax. A husband and wife filing jointly shall have an exemption of \$40,000 ~~\$500,000~~. ~~Every taxpayer that is not a natural person is entitled each year to an exemption of the first \$250,000 of the value of property otherwise subject to the tax.~~ Agents and fiduciaries, other than guardians and custodians under a gifts-to-minors act, filing as such may not claim this exemption on behalf of their principals or beneficiaries; however, if the principal or beneficiary returns the property held by the agent or fiduciary and is a natural person, the principal or beneficiary may claim the exemption. No taxpayer shall be entitled to more than one exemption under this subsection. This exemption shall not apply to that intangible personal property described in s. 199.023(1)(d).

Section 3. Effective January 1, 2004, subsection (2) of section 199.185, Florida Statutes, as amended by this act, is amended to read:

199.185 Property exempted from annual and nonrecurring taxes.—

(2) Every natural person is entitled each year to an exemption of the first \$250,000 ~~\$20,000~~ of the value of property otherwise subject to the annual tax. A husband and wife filing jointly shall have an exemption of \$500,000 ~~\$40,000~~. *Every taxpayer that is not a natural person is entitled each year to an exemption of the first \$250,000 of the value of property otherwise subject to the tax.* Agents and fiduciaries, other than guardians and custodians under a gifts-to-minors act, filing as such may not claim this exemption on behalf of their principals or beneficiaries; however, if the principal or beneficiary returns the property held by the agent or fiduciary and is a natural person, the principal or beneficiary may claim the exemption. No taxpayer shall be entitled to more than one exemption under this subsection. This exemption shall not apply to that intangible personal property described in s. 199.023(1)(d).

Section 4. Except as otherwise provided in this act, this act shall take effect January 1, 2002.

And the title is amended as follows:

On page 1, lines 2 through 6, delete those lines and insert: An act relating to state financial matters; prescribing the salary rate for specified state officials; providing an expiration date; amending s. 199.185, F.S.; postponing the increase in exemptions under the tax on intangible property; providing effective dates.

On motion by Senator Rossin, by two-thirds vote **HB 1-B** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Geller	Pruitt
Brown-Waite	Holzendorf	Rossin
Burt	Jones	Sanderson
Campbell	King	Saunders
Carlton	Klein	Sebesta
Clary	Latvala	Silver
Constantine	Laurent	Smith
Cowin	Lawson	Sullivan
Crist	Lee	Villalobos
Dawson	Meek	Wasserman Schultz
Diaz de la Portilla	Miller	Webster
Dyer	Mitchell	Wise
Futch	Peaden	
Garcia	Posey	

Nays—None

By direction of the President, the Secretary read the following proclamation:

PROCLAMATION

State of Florida
Executive Office of the Governor
Tallahassee

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND
THE FLORIDA HOUSE OF REPRESENTATIVES:

WHEREAS, the Governor has previously called the Florida Legislature into a special session beginning on October 22, 2001 and ending on November 1, 2001 for the sole purpose of considering reductions to appropriations from general revenue to deal with the expected decline in revenue growth; and

WHEREAS, after consultation with Florida Legislature, the Governor has determined that the earlier call should be expanded.

NOW, THEREFORE, I Jeb Bush, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution, do hereby proclaim as follows:

Section 2.

That the Call to the current Special Session of the legislature of the State of Florida is expanded:

To consider appropriations and reductions to this fiscal year's appropriations that are needed to deal with the anticipated decline in revenue and security and economic stimuli matters important to Florida; and

To consider legislation to conform statutes for reductions in appropriations for fiscal year 2001-2002 and reductions that recur in future fiscal years and appropriations for security and economic stimuli, and to provide flexibility in order to shift money within the appropriated funds during fiscal year 2001-2002; and

To consider legislation favorably reported by the House Fiscal Responsibility Council or the Senate Appropriations Committee and tied to funding decisions in the special session legislation providing appropriations and reductions in appropriations for the 2001-2002 fiscal year; and

To consider Proposed Committee Bill FRC 01-18 dealing with the expansion of the Comptroller's authority to borrow from the Budget Stabilization Fund on an emergency basis; and

To consider legislation necessary for security and economic stimuli; and

To consider changing Chapter 2001-225 §1 Laws of Florida dealing with the tax on intangibles.

Section 3.

That either house of the Legislature is authorized to consider legislation within the purview of this proclamation from this date forward.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this Proclamation expanding the call to the Legislature in Special Session at Capitol, this 25th day of October, 2001.

Jeb Bush
GOVERNOR

ATTEST:
Katherine Harris
SECRETARY OF STATE

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Carlton—

SB 110-B—A bill to be entitled An act making appropriations; providing appropriations and reductions in appropriations for the 2001-2002 fiscal year, to pay salaries, and other expenses, capital outlay – buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Appropriations.

MOTION

On motion by Senator Rossin, by two-thirds vote **SB 110-B** was withdrawn from the Committee on Appropriations and by two-thirds vote placed on the Special Order Calendar.

By Senator Carlton—

SB 112-B—A bill to be entitled An act implementing the 2001-2002 supplemental appropriations act; amending s. 216.023, F.S.; providing directives for executive agencies and the judicial branch in adjusting performance measures and standards to respond to budgetary modifications; providing a directive to the Department of Juvenile Justice; amending s. 339.135, F.S.; requiring adjustment of the adopted work program of the Department of Transportation to include certain economic stimulus projects; limiting the use of funds for state-employee travel; providing an expiration date and an effective date.

—was referred to the Committee on Appropriations.

MOTION

On motion by Senator Rossin, by two-thirds vote **SB 112-B** was withdrawn from the Committee on Appropriations and by two-thirds vote placed on the Special Order Calendar.

By Senator Cowin—

SB 114-B—A bill to be entitled An act relating to the Crime Stoppers Trust Fund; amending s. 16.555, F.S.; providing directives for use of moneys in the fund; providing an effective date.

—was referred to the Committee on Appropriations.

MOTION

On motion by Senator Rossin, by two-thirds vote **SB 114-B** was withdrawn from the Committee on Appropriations and by two-thirds vote placed on the Special Order Calendar.

By Senator Cowin—

SB 116-B—A bill to be entitled An act relating to the Florida Motor Vehicle Theft Prevention Trust Fund; amending s. 860.158, F.S.; provid-

ing directives for the use of moneys in the fund; providing an effective date.

—was referred to the Committee on Appropriations.

MOTION

On motion by Senator Rossin, by two-thirds vote **SB 116-B** was withdrawn from the Committee on Appropriations and by two-thirds vote placed on the Special Order Calendar.

SPECIAL ORDER CALENDAR

Consideration of **CS for SB 74-B**, **CS for SB 76-B**, **CS for SB 78-B**, **CS for SB 80-B**, **CS for SB 58-B**, **CS for SB 60-B**, **CS for SB 62-B**, **CS for SB 64-B**, **CS for SB 66-B**, **CS for SB 68-B**, **CS for SB 70-B**, **CS for SB 72-B** and **CS for SB 56-B** was deferred.

On motion by Senator Diaz de la Portilla, by two-thirds vote—

CS for SB 30-B—A bill to be entitled An act relating to economic stimulus; amending s. 220.191, F.S.; establishing for a temporary period, eligibility conditions for a new type of qualifying project under the capital investment tax credit program; providing deadlines for certification of businesses and commencement of project construction under such program; revising requirements relating to minimum capital investment; prescribing tax credit limitations; amending s. 288.095, F.S.; revising terminology relating to certain incentive payment schedules; revising the due date and content for an annual report on incentives and reassigning responsibility for such report to Enterprise Florida, Inc.; amending s. 288.1045, F.S.; expanding the tax refund program for qualified defense contractors to include qualified aviation–industry businesses; revising definitions; defining “aviation–industry business”; providing that qualified aviation–industry businesses may seek refunds for aviation fuel taxes paid; conforming procedures for applying for certification under the tax refund program; prescribing information required in applications by aviation–industry businesses; prescribing criteria to be used by the Office of Tourism, Trade, and Economic Development in reviewing applications by aviation–industry businesses; revising the required elements of a tax refund agreement; providing an exemption from mandatory loss of tax refund eligibility and decertification resulting from agreement breach in cases of uncontrollable economic factors; prescribing a deadline for applying for tax refunds; revising conditions and procedures governing applications for tax refunds; revising provisions relating to the order authorizing a tax refund; authorizing the office to grant extensions to certain application and notification deadlines; specifying that the section does not create a presumption a claim will be approved and paid; revising the agencies with which the office may verify information and to which the office may provide information; expanding purposes for which the office may seek assistance from certain entities; amending s. 288.106, F.S., relating to the tax refund program for qualified target industry businesses; consolidating definitions; revising requirements for application for certification as such business with respect to the number of current and new jobs at the business and projections by the Office of Tourism, Trade, and Economic Development of refunds based thereon; revising requirements relating to the tax refund agreement with respect to job creation and the time for filing of claims for refund; providing for an exemption from mandatory loss of tax refund eligibility and decertification resulting from agreement breach in cases of uncontrollable economic factors; revising provisions relating to annual claims for refund; authorizing an extension of time for signing the tax refund agreement; providing an application deadline; revising provisions relating to the order authorizing a tax refund; revising conditions under which a prorated tax refund will be approved; providing for calculation of such prorated tax refund; specifying that the section does not create a presumption that a claim will be approved and paid; revising the agencies with which the office may verify information and to which the office may provide information; expanding purposes for which the office may seek assistance from certain entities; specifying that certain appropriations may not be used for any purpose other than the payment of specified tax refunds; creating the Extended Homeownership Assistance Program within the Florida Housing Finance Corporation; providing for loans to eligible borrowers for down payments or closing costs related to the purchase of residences; providing for repayment of loans; authorizing a fee; requiring deposit and authorizing expenditure of certain revenues; requiring the adoption of rules; providing

for future repeal; providing legislative findings relating to the impact of economic downturns on small businesses; directing Enterprise Florida, Inc., to provide for the establishment of a Small Business Crisis Management Team; prescribing the membership and purposes of such team; requiring participation of designated agencies or organizations; defining the term “small business”; creating ss. 332.201, 332.202, 332.203, 332.204, 332.205, 332.206, 332.207, 332.208, 332.209, 332.210, and 332.211, F.S.; creating the Florida Airport Authority Act; providing definitions; providing that certain counties shall form an airport authority; providing that certain former military facilities redeveloped and operated as an airport shall be redeveloped and operated by an authority under the act, and providing for membership of the governing body of such authorities; providing for appointment of members of the governing body of an authority; providing for officers, employees, expenses, removal from office, and application of financial disclosure provisions; providing purposes and powers of an authority; providing restrictions on authority powers; providing for issuance of bonds; providing that the county may be appointed as an authority’s agent for construction; providing for acquisition of lands and property; providing for cooperation with other units, boards, agencies, and individuals; providing a covenant of the state with respect to bond issuance and agreements with federal agencies; providing an exemption from taxation; providing for applicability; requiring members of the authority to file financial disclosure; creating s. 121.155, F.S.; providing legislative findings relating to the relationship between availability of capital and the development of high-technology businesses; expressing legislative intent that Florida Retirement System investments complement economic development strategies; requiring staff of the State Board of Administration to review certain economic development information; expanding annual report requirements; amending s. 159.26, F.S.; declaring, for purposes of the Florida Industrial Development Financing Act, that the information technology industry is vital to the economy of the state; providing that the advancement of information technology is a purpose underlying the act; amending s. 159.27, F.S.; redefining the term “project” to include information technology facilities; defining the term “information technology facility”; amending s. 159.705, F.S.; specifying that certain entities may operate a project located in a research and development park and financed under the Florida Industrial Development Financing Act; amending s. 240.105, F.S.; providing that the mission of the state system of postsecondary education includes supporting economic development of the state; amending s. 240.710, F.S.; revising duties relating to the Digital Media Education Coordination Group; eliminating obsolete provisions; providing for the group to submit an annual report; amending s. 288.108, F.S.; specifying that the information technology sector is a high-impact sector for the purposes of a grant program for investments by certain businesses; amending s. 445.045, F.S.; reassigning responsibility for development and maintenance of an information technology promotion and workforce recruitment website to Workforce Florida, Inc.; requiring consistency and compatibility with other information systems; authorizing Workforce Florida, Inc., to secure website services from outside entities; requiring coordination of the information technology website with other marketing, promotion, and advocacy efforts; authorizing Workforce Florida, Inc., to act through the Agency for Workforce Innovation in fulfilling its responsibilities related to the website; directing the agency to provide services to Workforce Florida, Inc.; providing legislative findings and intent relating to establishment of joint-use advanced digital-media research and production facilities; authorizing the Office of Tourism, Trade, and Economic Development to create a program supporting establishment of the facilities; prescribing the purposes of the facilities; specifying powers and duties of the office relating to establishment of the facilities; defining the term “digital media”; requiring a report to the Legislature on recommended funding levels for the facilities; amending s. 553.415, F.S.; delaying the date for inclusion of the Uniform Code for Public Education Facilities in the Florida Building Code; providing an effective date for the Florida Building Code; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; delaying the amendment, repeal, and transfer and renumbering of specified sections of the Florida Statutes; amending s. 627.0629, F.S.; delaying a deadline by which insurance companies are required to make certain rate filings; providing for the adoption of an administrative rule; providing for the treatment of permit applications submitted before the effective date of the code; requiring local jurisdictions to enact ordinances establishing wind speed lines; restricting the expenditure of public funds for tourism promotion; providing effective dates.

—was read the second time by title.

Senator Diaz de la Portilla moved the following amendments which were adopted:

Amendment 1 (051782)—On page 13, line 8, delete that line and insert: out of the qualifying project or qualifying economic stimulus project will be determined.

Amendment 2 (742672)(with title amendment)—On page 23, lines 22-24, delete those lines and insert:

6. The number of *net new* full-time equivalent *Florida* jobs included in this state which are or will be dedicated to the project as of December 31 of each during the year and the average wage of such jobs.

And the title is amended as follows:

On page 1, line 24, after the semicolon (;) insert: revising and

Amendment 3 (454034)—On page 24, line 18; page 26, line 25; page 28, line 29; and page 32, line 20, delete the word “in” and insert: for in

Amendment 4 (855344)—On page 25, lines 27-30, delete those lines and insert:

6. The number of *net new* full-time equivalent *Florida* jobs included in this state which are or will be dedicated to the nondefense production project as of December 31 of each during the year and the average wage of such jobs.

Amendment 5 (271946)—On page 28, lines 8 and 9, delete those lines and insert:

7. The number of *net new* full-time equivalent *Florida* jobs included in this state which are or will be dedicated to the project as of December 31 of each during the

Amendment 6 (672992)—On page 32, lines 4-6, delete those lines and insert: shall include in its report projections of the tax refunds the business would be eligible to receive refund claims that will be sought by the applicant in each fiscal year based on the creation and maintenance of the net new Florida jobs specified in subparagraphs (b)6., (c)6., (d)7., or (j)4. or the retention and maintenance of the net retained Florida jobs specified in subparagraph (j)4., as of December 31 of the preceding state fiscal year information submitted in the application.

Amendment 7 (090480)—On page 32, lines 8, 14, 16, 17, and 18; and on page 41, lines 12, 13, and 15, delete the word “final” and insert: final

Senator Diaz de la Portilla moved the following amendment:

Amendment 8 (875350)—On page 33, lines 13 and 14, delete those lines and insert:

4. The number of net new or net retained full-time equivalent Florida jobs included in the project as of December 31 of each year and the

On motion by Senator Diaz de la Portilla, further consideration of **CS for SB 30-B** with pending **Amendment 8 (875350)** was deferred.

Consideration of **CS for SB 32-B** was deferred.

CS for SB 38-B—A bill to be entitled An act relating to the Florida Building Code; amending s. 553.415, F.S.; delaying the date for inclusion of the Uniform Code for Public Education Facilities in the Florida Building Code; providing an effective date for the Florida Building Code; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; delaying the amendment, repeal, and transfer and renumbering of specified sections of the Florida Statutes; amending s. 627.0629, F.S.; delaying a deadline by which insurance companies are required to make certain rate filings; providing for the adoption of an administrative rule; providing for the treatment of permit applications submitted before the effective date of the code; requiring local jurisdictions to enact ordinances establishing wind speed lines; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Wasserman Schultz, the rules were waived to allow the following amendment to be considered:

Senator Wasserman Schultz moved the following amendment which was adopted:

Amendment 1 (523602)(with title amendment)—On page 7, between lines 12 and 13, insert:

Section 13. *The Florida Building Commission is authorized to provide for uniform implementation of sections 515.25, 515.27, and 515.29, Florida Statutes, by including standards and criteria in the Florida Building Code for residential swimming pool barriers, pool covers, latching devices, door and window exit alarms, and other equipment required in those sections which are consistent with the intent of section 515.23, Florida Statutes. Thus, the residential swimming pool safety requirements of the Florida Building Code, section 424.2, relating to private swimming pools, of Rule 9B-3.047, Florida Administrative Code, as adopted November 28, 2000, shall take effect January 1, 2002.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 20, following the semicolon (;) insert: specifying the effective date of the residential swimming pool safety requirements of the Florida Building Code;

On motion by Senator Clary, further consideration of **CS for SB 38-B** as amended was deferred.

The Senate resumed consideration of—

CS for SB 30-B—A bill to be entitled An act relating to economic stimulus; amending s. 220.191, F.S.; establishing for a temporary period, eligibility conditions for a new type of qualifying project under the capital investment tax credit program; providing deadlines for certification of businesses and commencement of project construction under such program; revising requirements relating to minimum capital investment; prescribing tax credit limitations; amending s. 288.095, F.S.; revising terminology relating to certain incentive payment schedules; revising the due date and content for an annual report on incentives and reassigning responsibility for such report to Enterprise Florida, Inc.; amending s. 288.1045, F.S.; expanding the tax refund program for qualified defense contractors to include qualified aviation-industry businesses; revising definitions; defining “aviation-industry business”; providing that qualified aviation-industry businesses may seek refunds for aviation fuel taxes paid; conforming procedures for applying for certification under the tax refund program; prescribing information required in applications by aviation-industry businesses; prescribing criteria to be used by the Office of Tourism, Trade, and Economic Development in reviewing applications by aviation-industry businesses; revising the required elements of a tax refund agreement; providing an exemption from mandatory loss of tax refund eligibility and decertification resulting from agreement breach in cases of uncontrollable economic factors; prescribing a deadline for applying for tax refunds; revising conditions and procedures governing applications for tax refunds; revising provisions relating to the order authorizing a tax refund; authorizing the office to grant extensions to certain application and notification deadlines; specifying that the section does not create a presumption a claim will be approved and paid; revising the agencies with which the office may verify information and to which the office may provide information; expanding purposes for which the office may seek assistance from certain entities; amending s. 288.106, F.S., relating to the tax refund program for qualified target industry businesses; consolidating definitions; revising requirements for application for certification as such business with respect to the number of current and new jobs at the business and projections by the Office of Tourism, Trade, and Economic Development of refunds based thereon; revising requirements relating to the tax refund agreement with respect to job creation and the time for filing of claims for refund; providing for an exemption from mandatory loss of tax refund eligibility and decertification resulting from agreement breach in cases of uncontrollable economic factors; revising provisions relating to annual claims for refund; authorizing an extension of time for signing the tax refund agreement; providing an application deadline; revising

provisions relating to the order authorizing a tax refund; revising conditions under which a prorated tax refund will be approved; providing for calculation of such prorated tax refund; specifying that the section does not create a presumption that a claim will be approved and paid; revising the agencies with which the office may verify information and to which the office may provide information; expanding purposes for which the office may seek assistance from certain entities; specifying that certain appropriations may not be used for any purpose other than the payment of specified tax refunds; creating the Extended Homeownership Assistance Program within the Florida Housing Finance Corporation; providing for loans to eligible borrowers for down payments or closing costs related to the purchase of residences; providing for repayment of loans; authorizing a fee; requiring deposit and authorizing expenditure of certain revenues; requiring the adoption of rules; providing for future repeal; providing legislative findings relating to the impact of economic downturns on small businesses; directing Enterprise Florida, Inc., to provide for the establishment of a Small Business Crisis Management Team; prescribing the membership and purposes of such team; requiring participation of designated agencies or organizations; defining the term "small business"; creating ss. 332.201, 332.202, 332.203, 332.204, 332.205, 332.206, 332.207, 332.208, 332.209, 332.210, and 332.211, F.S.; creating the Florida Airport Authority Act; providing definitions; providing that certain counties shall form an airport authority; providing that certain former military facilities redeveloped and operated as an airport shall be redeveloped and operated by an authority under the act, and providing for membership of the governing body of such authorities; providing for appointment of members of the governing body of an authority; providing for officers, employees, expenses, removal from office, and application of financial disclosure provisions; providing purposes and powers of an authority; providing restrictions on authority powers; providing for issuance of bonds; providing that the county may be appointed as an authority's agent for construction; providing for acquisition of lands and property; providing for cooperation with other units, boards, agencies, and individuals; providing a covenant of the state with respect to bond issuance and agreements with federal agencies; providing an exemption from taxation; providing for applicability; requiring members of the authority to file financial disclosure; creating s. 121.155, F.S.; providing legislative findings relating to the relationship between availability of capital and the development of high-technology businesses; expressing legislative intent that Florida Retirement System investments complement economic development strategies; requiring staff of the State Board of Administration to review certain economic development information; expanding annual report requirements; amending s. 159.26, F.S.; declaring, for purposes of the Florida Industrial Development Financing Act, that the information technology industry is vital to the economy of the state; providing that the advancement of information technology is a purpose underlying the act; amending s. 159.27, F.S.; redefining the term "project" to include information technology facilities; defining the term "information technology facility"; amending s. 159.705, F.S.; specifying that certain entities may operate a project located in a research and development park and financed under the Florida Industrial Development Financing Act; amending s. 240.105, F.S.; providing that the mission of the state system of postsecondary education includes supporting economic development of the state; amending s. 240.710, F.S.; revising duties relating to the Digital Media Education Coordination Group; eliminating obsolete provisions; providing for the group to submit an annual report; amending s. 288.108, F.S.; specifying that the information technology sector is a high-impact sector for the purposes of a grant program for investments by certain businesses; amending s. 445.045, F.S.; reassigning responsibility for development and maintenance of an information technology promotion and workforce recruitment website to Workforce Florida, Inc.; requiring consistency and compatibility with other information systems; authorizing Workforce Florida, Inc., to secure website services from outside entities; requiring coordination of the information technology website with other marketing, promotion, and advocacy efforts; authorizing Workforce Florida, Inc., to act through the Agency for Workforce Innovation in fulfilling its responsibilities related to the website; directing the agency to provide services to Workforce Florida, Inc.; providing legislative findings and intent relating to establishment of joint-use advanced digital-media research and production facilities; authorizing the Office of Tourism, Trade, and Economic Development to create a program supporting establishment of the facilities; prescribing the purposes of the facilities; specifying powers and duties of the office relating to establishment of the facilities; defining the term "digital media"; requiring a report to the Legislature on recommended funding levels for the facilities; amending s. 553.415, F.S.; delaying the date for inclusion of the Uniform Code for Public Education Facilities in the Florida Building

Code; providing an effective date for the Florida Building Code; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; delaying the amendment, repeal, and transfer and renumbering of specified sections of the Florida Statutes; amending s. 627.0629, F.S.; delaying a deadline by which insurance companies are required to make certain rate filings; providing for the adoption of an administrative rule; providing for the treatment of permit applications submitted before the effective date of the code; requiring local jurisdictions to enact ordinances establishing wind speed lines; restricting the expenditure of public funds for tourism promotion; providing effective dates.

—which was previously considered and amended this day. Pending **Amendment 8 (875350)** by Senator Diaz de la Portilla was adopted.

Senator Diaz de la Portilla moved the following amendments which were adopted:

Amendment 9 (380536)—On page 37, line 29, delete "(5)(d)" and insert: "(5)(g)"

Amendment 10 (981682)—On page 52, line 9, after the word "to" insert: *specific*

Senator Klein moved the following amendment which was adopted:

Amendment 11 (403084)—On page 76, lines 13 and 14, delete those lines and insert: *created in this section subsection is designed. These sectors required and will create the kinds of economic sector and economy-wide*

Senator Crist moved the following amendment which was adopted:

Amendment 12 (052998)(with title amendment)—On page 89, lines 1-5, delete those lines and insert:

Section 32. Paragraph (p) is added to subsection (5) of section 288.1226, Florida Statutes, to read:

288.1226 Florida Tourism Industry Marketing Corporation; use of property; board of directors; duties; audit.—

(5) **POWERS AND DUTIES.**—The corporation, in the performance of its duties:

(p) *Is encouraged to give first priority in contracting to minority-owned, Florida-based vendors and to other Florida-based vendors when expending public funds for the production of advertising materials and services or promotional goods for tourism promotion unless the corporation determines that giving such priority would not result in the best value, based on factors including, but not limited to, price, quality, design, and workmanship. When negotiating contracts with its vendors, the corporation is encouraged to apply this paragraph to the subcontractors of its vendors. As used in this paragraph, the term:*

1. "Advertising materials and services" has the same meaning ascribed in the rules adopted by the Department of Revenue to interpret and define the exemptions in s. 212.08(7)(xx).

2. "Business unit" means an employing unit, as defined in s. 443.036, which is registered with the Agency for Workforce Innovation for purposes of unemployment compensation or means a subcategory or division of an employing unit that is accepted by the Agency for Workforce Innovation as a reporting unit.

3. "Florida-based" means operating in Florida at a permanent address and maintaining at least 1 business unit in this state.

4. "Minority-owned" means a certified minority business enterprise, as defined in s. 288.703.

5. "Promotional goods" has the same meaning ascribed in the rules adopted by the Department of Revenue to interpret and define the exemptions in s. 212.08(7)(xx).

And the title is amended as follows:

On page 7, line 23, delete that line and insert: *encouraging restrictions on the expenditure of public funds for*

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 13 (742048)—In title, on page 2, line 12, after the semicolon (;) insert: revising conditions under which a prorated tax refund will be approved; providing for calculation of such prorated refund;

Senators Latvala and Smith offered the following amendment which was moved by Senator Latvala and adopted:

Amendment 14 (672074)(with title amendment)—On page 89, between lines 5 and 6, insert:

Section 33. Effective January 1, 2002, subsection (2) of section 199.185, Florida Statutes, is amended to read:

199.185 Property exempted from annual and nonrecurring taxes.—

(2) Every natural person is entitled each year to an exemption of the first \$20,000 ~~\$250,000~~ of the value of property otherwise subject to the annual tax. A husband and wife filing jointly shall have an exemption of ~~\$40,000~~ ~~\$500,000~~. ~~Every taxpayer that is not a natural person is entitled each year to an exemption of the first \$250,000 of the value of property otherwise subject to the tax.~~ Agents and fiduciaries, other than guardians and custodians under a gifts-to-minors act, filing as such may not claim this exemption on behalf of their principals or beneficiaries; however, if the principal or beneficiary returns the property held by the agent or fiduciary and is a natural person, the principal or beneficiary may claim the exemption. No taxpayer shall be entitled to more than one exemption under this subsection. This exemption shall not apply to that intangible personal property described in s. 199.023(1)(d).

Section 34. Effective January 1, 2004, subsection (2) of section 199.185, Florida Statutes, as amended by this act, is amended to read:

199.185 Property exempted from annual and nonrecurring taxes.—

(2) Every natural person is entitled each year to an exemption of the first ~~\$250,000~~ ~~\$20,000~~ of the value of property otherwise subject to the annual tax. A husband and wife filing jointly shall have an exemption of ~~\$500,000~~ ~~\$40,000~~. ~~Every taxpayer that is not a natural person is entitled each year to an exemption of the first \$250,000 of the value of property otherwise subject to the tax.~~ Agents and fiduciaries, other than guardians and custodians under a gifts-to-minors act, filing as such may not claim this exemption on behalf of their principals or beneficiaries; however, if the principal or beneficiary returns the property held by the agent or fiduciary and is a natural person, the principal or beneficiary may claim the exemption. No taxpayer shall be entitled to more than one exemption under this subsection. This exemption shall not apply to that intangible personal property described in s. 199.023(1)(d).

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 7, line 24, after the semicolon (;) insert: amending s. 199.185, F.S.; postponing the increase in exemptions under the tax on intangible property;

RECONSIDERATION OF AMENDMENT

On motion by Senator Diaz de la Portilla, the Senate reconsidered the vote by which **Amendment 7 (090480)** was adopted. **Amendment 7** was withdrawn.

Senators Meek and Garcia offered the following amendment which was moved by Senator Garcia:

Amendment 15 (352066)(with title amendment)—On page 55, line 4, through page 66, line 11, delete those lines and renumber subsequent sections.

And the title is amended as follows:

On page 4, line 7, through page 5, line 4, delete those lines and insert: business"; creating s. 121.155,

On motion by Senator Diaz de la Portilla, further consideration of **CS for SB 30-B** with pending **Amendment 15 (352066)** was deferred.

SB 48-B—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise the laws relating to transportation; providing an effective date.

—was read the second time by title.

The Committee on Transportation recommended the following amendment which was moved by Senator Sebesta:

Amendment 1 (795698)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (8) is added to section 332.007, Florida Statutes, to read:

332.007 Administration and financing of aviation and airport programs and projects; state plan.—

(8) *Notwithstanding any other provision of law to the contrary, the department is authorized to provide operational and maintenance assistance to publicly owned public-use airports. Such assistance shall be to comply with enhanced federal security requirements or to address related economic impacts from the events of September 11, 2001. For projects in the current adopted work program, or projects added using the available budget of the department, airports may request the department change the project purpose in accordance with this provision notwithstanding the provisions of s. 339.135(7). For purposes of this subsection, the department may fund up to 100 percent of eligible project costs that are not funded by the federal government. Prior to releasing any funds under this section, the department shall review and approve the expenditure plans submitted by the airport. This subsection shall expire on June 30, 2003.*

Section 2. *Any multicounty airport authority created as an independent special district which is subject to a development-of-regional-impact development order and which has conducted a noise study in accordance with 14 C.F.R. Part 150 shall, in fiscal year 2002, establish a noise-mitigation-project fund in an amount of \$7.5 million, which shall be increased by another \$2.5 million in fiscal year 2004. The moneys in the project fund shall be segregated and expended by the airport authority by December 31, 2006, to the extent necessary to comply with development-order commitments to acquire property from or otherwise mitigate property owners adversely affected by the development of regional impact. If moneys are not expended for such purposes by December 31, 2006, the airport authority shall not thereafter amend its development-of-regional-impact development order or commence development of airport infrastructure improvements authorized by such development order until such funds are fully expended for such purposes.*

Section 3. Effective July 1, 2002, sections 332.201, 332.202, 332.203, 332.204, 332.205, 332.206, 332.207, 332.208, 332.209, 332.210, and 332.211, Florida Statutes, are created to read:

332.201 *Short title.—Sections 332.201-332.211 may be cited as the "Florida Airport Authority Act."*

332.202 *Definitions.—As used in this act:*

(1) *"Agency of the state" means and includes the state and any department of, or corporation, agency, or instrumentality created, designated, or established by, the state.*

(2) *"Airport" means any area of land or water, or any manmade object or facility located therein, which is used, or intended for public use, for the landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for public use, for airport buildings or other airport facilities or rights-of-way.*

(3) *"Airport system" means any and all airports within the geographic boundaries of an airport authority established pursuant to this act and appurtenant facilities thereto, including, but not limited to, all approaches, roads, bridges, and avenues of access for such airport.*

(4) *"Authority" means an airport authority established pursuant to this act which is a body politic and corporate and a public instrumentality.*

(5) *"Bonds" means and includes the notes, bonds, refunding bonds, or other evidences of indebtedness or obligations, in either temporary or definitive form, which an authority issues pursuant to this act.*

(6) "Department" means the Department of Transportation.

(7) "Division" means the Division of Bond Finance of the State Board of Administration.

(8) "Express written consent" means prior express written consent given in the form of a resolution adopted by a board of county commissioners.

(9) "Federal agency" means and includes the United States, the President of the United States, and any department of, or corporation, agency, or instrumentality created, designated, or established by, the United States.

332.203 Airport authority; formation; membership.—

(1) Any county which has a population of more than 2.1 million people shall at the countywide election hold a referendum in which the electors shall decide whether to form an airport authority, which shall be an agency of the state, pursuant to this act.

(2) The governing body of the authority shall consist of seven voting members, two of whom shall be appointed by the Governor subject to confirmation by the Senate. Each member of the governing body must at all times during his or her term of office be a permanent resident of the county which he or she is appointed to represent.

(a) The two members of the governing body appointed by the Governor, subject to confirmation by the Senate, shall serve terms of 4 years. Such persons may not hold elective office during their terms of office.

(b) Two members shall be appointed by the County Ethics Commission.

(c) One member shall be appointed by the County Mayor.

(d) Two members shall be appointed by the County Commission. At least one of the members appointed by the County Commission must possess expertise in airport security.

(3)(a) The governing body of each authority shall elect one of its members as its chair and shall elect a secretary and a treasurer, who need not be members of the authority. The chair, secretary, and treasurer shall hold their offices at the will of the governing body. A simple majority of the governing body constitutes a quorum, and the vote of a majority of those members present is necessary for the governing body to take any action. A vacancy on a governing body shall not impair the right of a quorum of the governing body to exercise all of the rights and perform all of the duties of the authority.

(b) Upon the effective date of his or her appointment, or as soon thereafter as practicable, each appointed member of a governing body shall enter upon his or her duties.

(4)(a) An authority may employ an executive secretary, an executive director, its own counsel and legal staff, technical experts, and such engineers and employees, permanent or temporary, as it may require and shall determine the qualifications and fix the compensation of such persons, firms, or corporations. An authority may employ a fiscal agent or agents; however, the authority must solicit sealed proposals from at least three persons, firms, or corporations for the performance of any services as fiscal agent. An authority may delegate to one or more of its agents or employees such of its power as it deems necessary to carry out the purposes of this act, subject always to the supervision and control of the authority.

(b) Members of the governing body of an authority may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(c) Members of the governing body of an authority are entitled to receive from the authority their travel and other necessary expenses incurred in connection with the business of the authority as provided in s. 112.061, but they may not draw salaries or other compensation.

(d) Members of the governing body of an authority shall be required to comply with the applicable financial disclosure requirements of ss. 112.3144, 112.3148, and 112.3149.

(5) No member or spouse shall be the holder of the stocks or bonds of any company, other than through ownership of shares in a mutual fund, regulated by the authority, or any affiliated company of any company regulated by the authority, or be an agent or employee of, or have any interest in, any company regulated by the authority or any affiliated company of any company regulated by the authority, or in any firm which represents in any capacity either companies which are regulated by the authority or affiliates of companies regulated by the authority. As a condition of appointment to the council, each appointee shall affirm to the Speaker and the President his or her qualification by the following certification: "I hereby certify that I am not a stockholder, other than through ownership of shares in a mutual fund, in any company regulated by the authority or in any affiliate of a company regulated by the authority, nor in any way, directly or indirectly, in the employment of, or engaged in the management of any company regulated by the authority or any affiliate of a company regulated by the authority, or in any firm which represents in any capacity either companies which are regulated by the authority or affiliates of companies regulated by the authority." A member of the authority shall not contribute to the campaign account of any elected official, nor solicit any campaign contributions for any elected official.

332.204 Purposes and powers.—

(1)(a) An authority created and established pursuant to this act may acquire, hold, construct, improve, maintain, operate, own, and lease an airport system.

(b) Construction of an airport system may be completed by an authority in segments, phases, or stages, in a manner which will permit the expansion of these segments, phases, or stages to the desired airport configuration. Each authority, in the construction of an airport system, may construct any extensions of, additions to, or improvements to, the airport system or appurtenant facilities, including all necessary approaches, roads, bridges, and avenues of access, with such changes, modifications, or revisions of the project that are deemed desirable and proper. An authority may only add additional airports to an airport system, under the terms and conditions set forth in this act, with the prior express written consent of the board of county commissioners of each county located within the geographic boundaries of the authority, and only if such additional airports are financially feasible, and are compatible with the existing plans, projects, and programs of the authority.

(2) Each authority may exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of its purposes, including, but not limited to, the following rights and powers:

(a) To sue and be sued, implead and be impleaded, and complain and defend in all courts.

(b) To adopt, use, and alter at will a corporate seal.

(c) To acquire, purchase, hold, lease as lessee, and use any franchise or property, real, personal, or mixed, tangible or intangible, or any interest therein necessary or desirable for carrying out the purposes of the authority and to sell, lease as lessor, transfer, and dispose of any property or interest therein at any time acquired by it.

(d) To enter into and make leases, either as lessee or as lessor, in order to carry out the right to lease as set forth in this act.

(e) To fix, alter, charge, establish, and collect rates, fees, rentals, and other charges for the services and facilities of the airport system, which rates, fees, rentals, and other charges must always be sufficient to comply with any covenants made with the holders of any bonds issued pursuant to this act.

(f) To borrow money, make and issue negotiable notes, bonds, refund bonds and other evidence of indebtedness, either in temporary or definitive form, of the authority, which bonds or other evidence of indebtedness may be issued pursuant to the State Bond Act, to finance an airport system within the geographic boundaries of the authority, and to provide for the security of the bonds or other evidence of indebtedness and the rights and remedies of the holders of the bonds or other evidence of indebtedness. Any bonds or other evidence of indebtedness pledging the full faith and credit of the state shall only be issued pursuant to the State Bond Act.

(g) To enter into contracts and to execute all instruments necessary or convenient for the carrying on of its business.

(h) Without limitation of the foregoing, to borrow money and accept grants from, and to enter into contracts, leases, or other transactions with, any federal agency, the state, any agency of the state or county, or any other public body of the state.

(i) To have the power of eminent domain, including the procedural powers granted under chapters 73 and 74.

(j) To pledge, hypothecate, or otherwise encumber all or any part of the revenues, rates, fees, rentals, or other charges or receipts of the authority, as security for all or any of the obligations of the authority.

(k) To do all acts and things necessary or convenient for the conduct of its business and the general welfare of the authority in order to carry out the powers granted to it by law.

(l) An airport authority may consider any unsolicited proposals from private entities and all factors it deems important in evaluating such proposals. The airport authority shall adopt rules or policies in compliance with s. 334.30 for the receipt, evaluation, and consideration of such proposals in order to enter into agreements for the planning design, engineering, construction, operation, ownership, or financing of its airport system. Such rules must require substantially similar technical information as is required by Rule 14-107.0011(3)(a)-(e), Florida Administrative Code. In accepting a proposal and entering into such an agreement, the airport authority and the private entity shall for all purposes be deemed to have complied with chapters 255 and 287. Similar proposals shall be reviewed and acted on by the authority in the order in which they were received. An additional airport may only be constructed under this paragraph with state and federal approval, and with the prior express written consent of the board of county commissioners of each county located within the geographical boundaries of the authority.

(3) The use or pledge of any portion of county tax funds may not be made without the prior express written consent of the board of county commissioners of each county located within the geographic boundaries of the authority.

(4) Any authority formed pursuant to this act shall comply with all statutory requirements of general application which relate to the filing of any report or documentation required by law, including the requirements of ss. 189.4085, 189.415, 189.417, and 189.418.

(5) No airport authority shall undertake any construction that is not consistent with federal aviation requirements, the statewide aviation system plan, and the county's comprehensive plan.

(6) The governing body of the county may enter into an interlocal agreement with an authority pursuant to chapter 163 for the joint performance or performance by either governmental entity of any corporate function of the county or authority necessary or appropriate to enable the authority to fulfill the powers and purposes of this act and promote the efficient and effective transportation of persons and goods in such county.

332.205 Bonds.—With the prior express written consent of the board of county commissioners of each county located within the geographic boundaries of an authority, bonds may be issued on behalf of an authority as provided by the State Bond Act.

332.206 County may be appointed agent of authority for construction.—The county may be appointed by the authority as its agent for the purpose of constructing improvements to an airport system and for the completion thereof. In such event, the authority shall provide the county with complete copies of all documents, agreements, resolutions, contracts, and instruments relating thereto; shall request the county to do such construction work, including the planning, surveying, and actual construction of the completion and improvements to the airport system; and shall transfer to the credit of an account of the county the necessary funds therefor.

332.207 Acquisition of lands and property.—

(1) For the purposes of this act, an airport authority may acquire private or public property and property rights, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation by eminent domain proceedings, as the authority may deem necessary for any of the purposes of this act, including, but not limited to, any lands reasonably necessary for securing applicable permits, areas necessary for management of access, borrow pits, drainage ditches, water retention areas,

replacement access for landowners whose access is impaired due to the improvement of an airport system, and replacement rights-of-way for relocated rail and utility facilities; or for existing, proposed, or anticipated transportation facilities within the airport system. The authority may also condemn any material and property necessary for such purposes.

(2) The right of eminent domain conferred by this act must be exercised by an authority in the manner provided by law.

332.208 Cooperation with other units, boards, agencies, and individuals.—Express authority and power is given and granted to any county, municipality, drainage district, road and bridge district, school district, or other political subdivision, board, commission, or individual in or of this state to enter into contracts, leases, conveyances, or other agreements within the provisions and purposes of this act with an authority. An authority may enter into contracts, leases, conveyances, and other agreements, to the extent consistent with this chapter and chapters 330, 331, and 333 and other provisions of the laws of the state, with any political subdivision, agency, or instrumentality of the state and any federal agency, corporation, and individual, for the purpose of carrying out the provisions of this act.

332.209 Covenant of the state.—The state does hereby pledge to, and agrees with, any person, firm, corporation, or federal or state agency subscribing to or acquiring the bonds to be issued by an authority for the purposes of this act that the state will not limit or alter the rights hereby vested in an authority and the department until all bonds at any time issued, together with the interest thereon, are fully paid and discharged, insofar as the same affects the rights of the holders of bonds issued hereunder. The state does further pledge to, and agrees with, the United States that, in the event any federal agency constructs, or contributes any funds for the completion, extension, or improvement of, an airport system or any part or portion thereof, the state will not alter or limit the rights and powers of an authority and the department in any manner which would be inconsistent with the continued maintenance and operation of the airport system or the completion, extension, or improvement thereof or which would be inconsistent with the due performance of any agreement between the authority and any such federal agency, and the authority and the department shall continue to have and may exercise all powers granted so long as the same shall be necessary or desirable for carrying out the purposes of this act and the purposes of the United States in the completion, extension, or improvement of the airport system or any part or portion thereof.

332.210 Exemption from taxation.—The effectuation of the authorized purposes of an airport authority is in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions. For this reason, an authority is not required to pay any taxes or assessments of any kind or nature whatsoever upon any property acquired by it or used by it for such purposes or upon any revenues at any time received by it. The bonds issued by or on behalf of an authority, their transfer, and the income therefrom, including any profits made on the sale thereof, are exempt from taxation of any kind by the state or by any political subdivision or other taxing agency or instrumentality thereof. The exemption granted by this section does not apply to any tax imposed under chapter 220 on interest, income, or profits on debt obligations owned by corporations.

332.211 Exemption from applicability.—This act does not apply in a county in which an authority has been created pursuant to a general or special act of the Legislature for the purpose of owning, building, or operating an airport.

Section 4. The provisions of the Florida Airport Authority Act, sections 332.201–332.211, Florida Statutes, shall not apply to any county which has created its own airport authority.

Section 5. Members of the authority created pursuant to the Florida Airport Authority Act, sections 332.201–332.211, Florida Statutes, are required to file full and public disclosure of financial interests pursuant to section 112.3144, Florida Statutes.

Section 6. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to airports, amending s. 332.007, F.S.; providing

economic assistance to airports; providing for noise mitigation for certain airports; creating ss. 332.201, 332.202, 332.203, 332.204, 332.205, 332.206, 332.207, 332.208, 332.209, 332.210, and 332.211, F.S.; creating the Florida Airport Authority Act; providing definitions; providing that certain counties shall form an airport authority; providing that certain former military facilities redeveloped and operated as an airport shall be redeveloped and operated by an authority under the act, and providing for membership of the governing body of such authorities; providing for appointment of members of the governing body of an authority; providing for officers, employees, expenses, removal from office, and application of financial disclosure provisions; providing purposes and powers of an authority; providing restrictions on authority powers; providing for issuance of bonds; providing that the county may be appointed as an authority's agent for construction; providing for acquisition of lands and property; providing for cooperation with other units, boards, agencies, and individuals; providing a covenant of the state with respect to bond issuance and agreements with federal agencies; providing an exemption from taxation; providing for applicability; requiring members of the authority to file financial disclosure; providing an effective date.

On motion by Senator Sebesta, further consideration of **SB 48-B** with pending **Amendment 1 (795698)** was deferred.

SB 52-B—A bill to be entitled An act relating to economic development; creating the “Florida Emerging and Strategic Technologies Act”; amending s. 112.313, F.S.; revising procedures and conditions for the approval of certain exemptions from standards of conduct applicable to state university employees; eliminating a requirement for a report; prescribing minimum criteria for university guidelines governing conflicts of interest that may arise in certain research or technology-transfer activities; requiring sanctions for failing to comply with the guidelines; creating s. 121.155, F.S.; providing legislative findings relating to the relationship between availability of capital and the development of high-technology businesses; expressing legislative intent that Florida Retirement System investments complement economic development strategies; requiring staff of the State Board of Administration to review certain economic development information; expanding annual report requirements; amending s. 159.26, F.S.; declaring, for purposes of the Florida Industrial Development Financing Act, that the information technology industry is vital to the economy of the state; providing that the advancement of information technology is a purpose underlying the act; amending s. 159.27, F.S.; redefining the term “project” to include information technology facilities; defining the term “information technology facility”; amending s. 159.705, F.S.; specifying that certain entities may operate a project located in a research and development park and financed under the Florida Industrial Development Financing Act; amending s. 240.105, F.S.; providing that the mission of the state system of postsecondary education includes supporting economic development of the state; amending s. 240.710, F.S.; revising duties relating to the Digital Media Education Coordination Group; eliminating obsolete provisions; providing for the group to submit an annual report; amending s. 288.108, F.S.; specifying that the information technology sector is a high-impact sector for the purposes of a grant program for investments by certain businesses; providing legislative intent relating to the provision of state assistance to a not-for-profit corporation created to advocate on behalf of the information technology industry; requiring the Florida Board of Education to report on statutory and other factors affecting the transfer and commercialization of technology and the formation of relationships between university employees and business entities; prescribing elements of the report; requiring the board to solicit the participation of certain experts in the preparation of the report; amending s. 445.045, F.S.; reassigning responsibility for development and maintenance of an information technology promotion and workforce recruitment website to Workforce Florida, Inc.; requiring consistency and compatibility with other information systems; authorizing Workforce Florida, Inc., to secure website services from outside entities; requiring coordination of the information technology website with other marketing, promotion, and advocacy efforts; authorizing Workforce Florida, Inc., to act through the Agency for Workforce Innovation in fulfilling its responsibilities related to the website; directing the agency to provide services to Workforce Florida, Inc.; providing legislative findings and intent relating to establishment of joint-use advanced digital-media research and production facilities; authorizing the Office of Tourism, Trade, and Economic Development to create a program supporting establishment of the facilities; prescribing the purposes of the facilities; specifying powers and duties of the office relating to establishment of the

facilities; defining the term “digital media”; requiring a report to the Legislature on recommended funding levels for the facilities; providing effective dates.

—was read the second time by title.

Senator Klein moved the following amendments which were adopted:

Amendment 1 (114660)(with title amendment)—On page 5, line 3, through page 6, line 11, delete those lines

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, lines 4-14, delete those lines and insert: Technologies Act”; creating s. 121.155, F.S.;

Amendment 2 (520454)—On page 16, lines 13 and 14, delete those lines and insert: created in this *section* ~~subsection~~ is *designed*. *These sectors required* ~~and~~ will create the kinds of *economic sector and economy-wide*

Amendment 3 (030258)(with title amendment)—On page 16, line 25, through page 19, line 16, delete those lines

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, lines 18-31, delete those lines and insert: investments by certain businesses; amending s. 445.045, F.S.; reassigning

On motion by Senator Klein, by two-thirds vote **SB 52-B** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Garcia	Pruitt
Brown-Waite	Geller	Rossin
Burt	Jones	Sanderson
Campbell	King	Saunders
Carlton	Klein	Sebesta
Clary	Latvala	Silver
Constantine	Laurent	Smith
Cowin	Lee	Sullivan
Crist	Meek	Villalobos
Dawson	Miller	Wasserman Schultz
Diaz de la Portilla	Mitchell	Webster
Dyer	Peadar	Wise
Futch	Posey	

Nays—None

Vote after roll call:

Yea—Lawson

SB 40-B—A bill to be entitled An act relating to the Florida Disaster Volunteer Leave Act; amending s. 110.120, F.S.; authorizing the Governor and Cabinet to approve leave under the act for services in response to a disaster occurring within the boundaries of the United States; providing an effective date.

—was read the second time by title. On motion by Senator Burt, by two-thirds vote **SB 40-B** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Crist	Jones
Brown-Waite	Dawson	King
Burt	Diaz de la Portilla	Klein
Campbell	Dyer	Latvala
Carlton	Futch	Laurent
Clary	Garcia	Lawson
Constantine	Geller	Lee
Cowin	Holzendorf	Meek

Miller	Rossin	Smith
Mitchell	Sanderson	Sullivan
Peaden	Saunders	Villalobos
Posey	Sebesta	Wasserman Schultz
Pruitt	Silver	Webster

Nays—1

Wise

Vote after roll call:

Nay to Yea—Wise

 The Senate resumed consideration of—

CS for SB 30-B—A bill to be entitled An act relating to economic stimulus; amending s. 220.191, F.S.; establishing for a temporary period, eligibility conditions for a new type of qualifying project under the capital investment tax credit program; providing deadlines for certification of businesses and commencement of project construction under such program; revising requirements relating to minimum capital investment; prescribing tax credit limitations; amending s. 288.095, F.S.; revising terminology relating to certain incentive payment schedules; revising the due date and content for an annual report on incentives and reassigning responsibility for such report to Enterprise Florida, Inc.; amending s. 288.1045, F.S.; expanding the tax refund program for qualified defense contractors to include qualified aviation-industry businesses; revising definitions; defining “aviation-industry business”; providing that qualified aviation-industry businesses may seek refunds for aviation fuel taxes paid; conforming procedures for applying for certification under the tax refund program; prescribing information required in applications by aviation-industry businesses; prescribing criteria to be used by the Office of Tourism, Trade, and Economic Development in reviewing applications by aviation-industry businesses; revising the required elements of a tax refund agreement; providing an exemption from mandatory loss of tax refund eligibility and decertification resulting from agreement breach in cases of uncontrollable economic factors; prescribing a deadline for applying for tax refunds; revising conditions and procedures governing applications for tax refunds; revising provisions relating to the order authorizing a tax refund; authorizing the office to grant extensions to certain application and notification deadlines; specifying that the section does not create a presumption a claim will be approved and paid; revising the agencies with which the office may verify information and to which the office may provide information; expanding purposes for which the office may seek assistance from certain entities; amending s. 288.106, F.S., relating to the tax refund program for qualified target industry businesses; consolidating definitions; revising requirements for application for certification as such business with respect to the number of current and new jobs at the business and projections by the Office of Tourism, Trade, and Economic Development of refunds based thereon; revising requirements relating to the tax refund agreement with respect to job creation and the time for filing of claims for refund; providing for an exemption from mandatory loss of tax refund eligibility and decertification resulting from agreement breach in cases of uncontrollable economic factors; revising provisions relating to annual claims for refund; authorizing an extension of time for signing the tax refund agreement; providing an application deadline; revising provisions relating to the order authorizing a tax refund; revising conditions under which a prorated tax refund will be approved; providing for calculation of such prorated tax refund; specifying that the section does not create a presumption that a claim will be approved and paid; revising the agencies with which the office may verify information and to which the office may provide information; expanding purposes for which the office may seek assistance from certain entities; specifying that certain appropriations may not be used for any purpose other than the payment of specified tax refunds; creating the Extended Homeownership Assistance Program within the Florida Housing Finance Corporation; providing for loans to eligible borrowers for down payments or closing costs related to the purchase of residences; providing for repayment of loans; authorizing a fee; requiring deposit and authorizing expenditure of certain revenues; requiring the adoption of rules; providing for future repeal; providing legislative findings relating to the impact of economic downturns on small businesses; directing Enterprise Florida, Inc., to provide for the establishment of a Small Business Crisis Management Team; prescribing the membership and purposes of such team; requiring participation of designated agencies or organizations; defining

the term “small business”; creating ss. 332.201, 332.202, 332.203, 332.204, 332.205, 332.206, 332.207, 332.208, 332.209, 332.210, and 332.211, F.S.; creating the Florida Airport Authority Act; providing definitions; providing that certain counties shall form an airport authority; providing that certain former military facilities redeveloped and operated as an airport shall be redeveloped and operated by an authority under the act, and providing for membership of the governing body of such authorities; providing for appointment of members of the governing body of an authority; providing for officers, employees, expenses, removal from office, and application of financial disclosure provisions; providing purposes and powers of an authority; providing restrictions on authority powers; providing for issuance of bonds; providing that the county may be appointed as an authority’s agent for construction; providing for acquisition of lands and property; providing for cooperation with other units, boards, agencies, and individuals; providing a covenant of the state with respect to bond issuance and agreements with federal agencies; providing an exemption from taxation; providing for applicability; requiring members of the authority to file financial disclosure; creating s. 121.155, F.S.; providing legislative findings relating to the relationship between availability of capital and the development of high-technology businesses; expressing legislative intent that Florida Retirement System investments complement economic development strategies; requiring staff of the State Board of Administration to review certain economic development information; expanding annual report requirements; amending s. 159.26, F.S.; declaring, for purposes of the Florida Industrial Development Financing Act, that the information technology industry is vital to the economy of the state; providing that the advancement of information technology is a purpose underlying the act; amending s. 159.27, F.S.; redefining the term “project” to include information technology facilities; defining the term “information technology facility”; amending s. 159.705, F.S.; specifying that certain entities may operate a project located in a research and development park and financed under the Florida Industrial Development Financing Act; amending s. 240.105, F.S.; providing that the mission of the state system of postsecondary education includes supporting economic development of the state; amending s. 240.710, F.S.; revising duties relating to the Digital Media Education Coordination Group; eliminating obsolete provisions; providing for the group to submit an annual report; amending s. 288.108, F.S.; specifying that the information technology sector is a high-impact sector for the purposes of a grant program for investments by certain businesses; amending s. 445.045, F.S.; reassigning responsibility for development and maintenance of an information technology promotion and workforce recruitment website to Workforce Florida, Inc.; requiring consistency and compatibility with other information systems; authorizing Workforce Florida, Inc., to secure website services from outside entities; requiring coordination of the information technology website with other marketing, promotion, and advocacy efforts; authorizing Workforce Florida, Inc., to act through the Agency for Workforce Innovation in fulfilling its responsibilities related to the website; directing the agency to provide services to Workforce Florida, Inc.; providing legislative findings and intent relating to establishment of joint-use advanced digital-media research and production facilities; authorizing the Office of Tourism, Trade, and Economic Development to create a program supporting establishment of the facilities; prescribing the purposes of the facilities; specifying powers and duties of the office relating to establishment of the facilities; defining the term “digital media”; requiring a report to the Legislature on recommended funding levels for the facilities; amending s. 553.415, F.S.; delaying the date for inclusion of the Uniform Code for Public Education Facilities in the Florida Building Code; providing an effective date for the Florida Building Code; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; delaying the amendment, repeal, and transfer and renumbering of specified sections of the Florida Statutes; amending s. 627.0629, F.S.; delaying a deadline by which insurance companies are required to make certain rate filings; providing for the adoption of an administrative rule; providing for the treatment of permit applications submitted before the effective date of the code; requiring local jurisdictions to enact ordinances establishing wind speed lines; restricting the expenditure of public funds for tourism promotion; providing effective dates.

—which was previously considered and amended this day. Pending **Amendment 15 (352066)** by Senators Meek and Garcia was adopted.

On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for SB 30-B** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Holzendorf	Pruitt
Brown-Waite	King	Sanderson
Burt	Klein	Saunders
Clary	Latvala	Sebesta
Constantine	Laurent	Smith
Cowin	Lawson	Sullivan
Crist	Lee	Villalobos
Diaz de la Portilla	Meek	Wasserman Schultz
Dyer	Miller	Webster
Futch	Mitchell	Wise
Garcia	Peaden	
Geller	Posey	

Nays—3

Campbell	Dawson	Rossin
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Vote after roll call:

Yea—Carlton, Jones, Silver

On motion by Senator Diaz de la Portilla, by two-thirds vote—

CS for SB 32-B—A bill to be entitled An act relating to public records; creating s. 288.1067, F.S.; creating a public records exemption for specified business information received under the tax refund programs for qualified defense contractors, qualified aviation-industry businesses, and qualified target-industry businesses; prescribing the time period for confidentiality; specifying that the exemption does not preclude publication of aggregate data or release of names of qualifying businesses and refund amounts; providing for future repeal and legislative review; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Senator Diaz de la Portilla moved the following amendment:

Amendment 1 (640138)—On page 3, line 3, after the word “created” insert: *or retained*

On motion by Senator Diaz de la Portilla, further consideration of **CS for SB 32-B** with pending **Amendment 1 (640138)** was deferred.

The Senate resumed consideration of—

CS for SB 38-B—A bill to be entitled An act relating to the Florida Building Code; amending s. 553.415, F.S.; delaying the date for inclusion of the Uniform Code for Public Education Facilities in the Florida Building Code; providing an effective date for the Florida Building Code; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; delaying the amendment, repeal, and transfer and renumbering of specified sections of the Florida Statutes; amending s. 627.0629, F.S.; delaying a deadline by which insurance companies are required to make certain rate filings; providing for the adoption of an administrative rule; providing for the treatment of permit applications submitted before the effective date of the code; requiring local jurisdictions to enact ordinances establishing wind speed lines; providing an effective date.

—which was previously considered and amended this day.

Senators Constantine, Latvala and King offered the following amendments which were moved by Senator Constantine and adopted:

Amendment 2 (822176)—On page 2, lines 6, 25, and 31, and on page 3, line 16, and on page 4, lines 6, 11, 19, 26, and 30, and on page 5, lines 9 and 21 delete the word “April” and insert: *March*

MOTION

On motion by Senator Lee, the rules were waived and time of recess was extended until completion of the Special Order Calendar.

Amendment 3 (964522)—On page 6, line 20, delete the phrase “March 31,” and insert: *February 28,*

On motion by Senator Clary, by two-thirds vote **CS for SB 38-B** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Geller	Pruitt
Brown-Waite	Holzendorf	Rossin
Burt	Jones	Sanderson
Campbell	King	Saunders
Carlton	Klein	Sebesta
Clary	Latvala	Silver
Constantine	Laurent	Smith
Cowin	Lawson	Sullivan
Crist	Lee	Villalobos
Dawson	Meek	Wasserman Schultz
Diaz de la Portilla	Miller	Webster
Dyer	Mitchell	Wise
Futch	Peaden	
Garcia	Posey	

Nays—None

The Senate resumed consideration of—

SB 48-B—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise the laws relating to transportation; providing an effective date.

—which was previously considered this day with pending **Amendment 1 (795698)** by the Committee on Transportation.

Senator Villalobos moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (731918)(with title amendment)—On page 2, line 5, following the period (.) insert: *The department shall inform the Legislature of any change that it approves under this subsection.*

And the title is amended as follows:

On page 15, line 7, following the semicolon (;) insert: requiring certain notice to the Legislature;

Senator Garcia moved the following amendment to **Amendment 1** which was adopted:

Amendment 1B (092270)(with title amendment)—On page 2, line 25, through page 13, line 26, delete those lines

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 14, line 10, through page 15, line 7, delete those lines and insert: certain airports; providing an effective

Amendment 1 as amended was adopted.

On motion by Senator Sebesta, by two-thirds vote **SB 48-B** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Futch	Miller
Brown-Waite	Garcia	Mitchell
Burt	Geller	Peaden
Carlton	Jones	Posey
Clary	King	Pruitt
Constantine	Klein	Rossin
Cowin	Latvala	Sanderson
Crist	Laurent	Saunders
Dawson	Lawson	Sebesta
Diaz de la Portilla	Lee	Silver
Dyer	Meek	Smith

Sullivan Wasserman Schultz Wise
 Villalobos Webster
 Nays—None
 Vote after roll call:
 Yea—Holzendorf

CS for SB 42-B—A bill to be entitled An act relating to health insurance for persons called to active military duty; amending s. 627.6692, F.S.; specifying that the termination of employment of an employee during or after a period of active military duty constitutes a separate qualifying event for purposes of allowing the employee to elect to continue coverage under the employer's group health plan; specifying when such coverage period begins; specifying other qualifying events that allow for continuation of coverage if a covered employee is called to active duty; tolling the maximum time period for which coverage may be continued under an employer's group health plan for an individual who has elected coverage and who is called to active military duty, for the time that the individual is covered under the federal TRICARE health care program; providing a time period within which the individual may elect to continue coverage under the employer's group health plan after TRICARE coverage terminates; providing an effective date.

—was read the second time by title. On motion by Senator Burt, by two-thirds vote **CS for SB 42-B** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Geller	Pruitt
Brown-Waite	Holzendorf	Rossin
Burt	Jones	Sandersen
Campbell	King	Saunders
Carlton	Klein	Sebesta
Clary	Latvala	Silver
Constantine	Laurent	Smith
Cowin	Lawson	Sullivan
Crist	Lee	Villalobos
Dawson	Meek	Wasserman Schultz
Diaz de la Portilla	Miller	Webster
Dyer	Mitchell	Wise
Futch	Peaden	
Garcia	Posey	

Nays—None

SENATOR SILVER PRESIDING

SB 94-B—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating an American Red Cross license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

—was read the second time by title.

The Committee on Transportation recommended the following amendment which was moved by Senator Dyer and failed:

Amendment 1 (272432)(with title amendment)—On page 1, lines 11-30, delete those lines and insert:

Section 1. Paragraphs (ff) and (gg) are added to subsection (4) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(ff) *American Red Cross license plate, \$25.*

(gg) *United We Stand license plate, \$25.*

Section 2. Subsections (32) and (33) are added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(32) **AMERICAN RED CROSS LICENSE PLATES.**—

(a) *Notwithstanding the provisions of s. 320.08053, the department shall develop an American Red Cross license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "American Red Cross" must appear at the bottom of the plate.*

(b) *The department shall retain all revenues from the sale of such plates until all start-up costs for developing and issuing the plates have been recovered. Thereafter, the annual use fees shall be distributed to the American Red Cross Chapter of Central Florida, with statistics on sales of license plates, which are tabulated by county. The American Red Cross Chapter of Central Florida must distribute to each of the chapters in this state the moneys received from sales in the counties covered by the respective chapters, which moneys must be used for education and disaster relief in Florida.*

(33) **UNITED WE STAND LICENSE PLATES.**—

(a) *Notwithstanding the provisions of s. 320.08053, the department shall develop a United We Stand license plate as provided in this section. The American Flag must appear on the license plate in addition to the Words "United We Stand." The colors of the license plate must be red, white, and blue.*

(b) *The department shall retain all revenues from the sale of such plates until all start-up costs for developing and issuing the plates have been recovered. Thereafter, the annual use fee shall be distributed to the Department of Transportation to fund a grant program to enhance security at airports throughout the state.*

And the title is amended as follows:

On page 1, line 4, after the semicolon (;) insert: creating a United We Stand license plate;

Senators Dyer, Diaz de la Portilla, King and Sebesta offered the following amendment which was moved by Senator Dyer:

Amendment 2 (763234)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraphs (ff) and (gg) are added to subsection (4) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(ff) *American Red Cross license plate, \$25.*

(gg) *United We Stand license plate, \$25.*

Section 2. Subsections (32) and (33) are added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(32) **AMERICAN RED CROSS LICENSE PLATES.**—

(a) *Notwithstanding the provisions of s. 320.08053, the department shall develop an American Red Cross license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "American Red Cross" must appear at the bottom of the plate.*

(b) *The department shall retain all revenues from the sale of such plates until all start-up costs for developing and issuing the plates have been recovered. Thereafter, the annual use fees shall be distributed to the American Red Cross Chapter of Central Florida, with statistics on sales of license plates, which are tabulated by county. The American Red Cross Chapter of Central Florida must distribute to each of the chapters in this state the moneys received from sales in the counties covered by the respective chapters, which moneys must be used for education and disaster relief in Florida.*

(33) **UNITED WE STAND LICENSE PLATES.**—

(a) *Notwithstanding the provisions of s. 320.08053, the department shall develop a United We Stand license plate as provided in this section. The American Flag must appear on the license plate in addition to the words "United We Stand." The colors of the license plate must be red, white, and blue.*

(b) *The department shall retain all revenues from the sale of such plates until all start-up costs for developing and issuing the plates have been recovered. Thereafter, 50 percent of the annual use fee shall be distributed to the Department of Transportation to fund a grant program to enhance security at airports throughout the state and 50 percent of such fees shall be distributed to the Rewards for Justice Fund, to be contributed to the United States State Department's Rewards for Justice program and used solely to apprehend terrorists and bring them to justice.*

Section 3. This act shall take effect July 1, 2002, but it shall not take effect unless it is enacted by at least a three-fifths vote of the membership of each house of the Legislature.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating an American Red Cross license plate; creating a United We Stand license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

Senators Villalobos, Campbell and Garcia offered the following amendment to **Amendment 2** which was moved by Senator Villalobos and adopted:

Amendment 2A (430452)—On page 2, lines 6-14, delete those lines and insert: *and issuing the plates have been recovered. Thereafter, 50 percent of the annual use fees shall be distributed to the American Red Cross Chapter of Central Florida, with statistics on sales of license plates, which are tabulated by county. The American Red Cross Chapter of Central Florida must distribute to each of the chapters in this state the moneys received from sales in the counties covered by the respective chapters, which moneys must be used for education and disaster relief in Florida. Fifty percent of the annual use fees shall be distributed proportionately to the three statewide approved poison control centers for purposes of combating bio-terrorism and other poison-related purposes.*

Amendment 2 as amended was adopted.

On motion by Senator Dyer, by two-thirds vote **SB 94-B** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—28

Brown-Waite	Jones	Rossin
Carlton	King	Sebesta
Clary	Klein	Silver
Dawson	Laurent	Sullivan
Diaz de la Portilla	Lawson	Villalobos
Dyer	Lee	Wasserman Schultz
Futch	Meek	Webster
Garcia	Miller	Wise
Geller	Peaden	
Holzendorf	Pruitt	

Nays—10

Campbell	Latvala	Sanderson
Constantine	Mitchell	Saunders
Cowin	Posey	Smith
Crist		

THE PRESIDENT PRESIDING

The Senate resumed consideration of—

CS for SB 32-B—A bill to be entitled An act relating to public records; creating s. 288.1067, F.S.; creating a public records exemption for specified business information received under the tax refund programs for qualified defense contractors, qualified aviation-industry businesses, and qualified target-industry businesses; prescribing the time period for confidentiality; specifying that the exemption does not preclude publication of aggregate data or release of names of qualifying businesses and refund amounts; providing for future repeal and legislative review; providing a statement of public necessity; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (640138)** by Senator Diaz de la Portilla was withdrawn.

Senator Mitchell moved the following amendments which were adopted:

Amendment 2 (384026)—On page 3, lines 3 and 4, delete those lines and insert:

(f) *Information relating to the wages paid for jobs by a qualified applicant*

Amendment 3 (870646)—On page 4, lines 24 and 25, delete those lines and insert:

(h) *Information relating to the wages paid for jobs by a qualified target*

On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for SB 32-B** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Holzendorf	Pruitt
Brown-Waite	Jones	Rossin
Carlton	King	Sanderson
Clary	Klein	Saunders
Constantine	Latvala	Sebesta
Cowin	Laurent	Silver
Crist	Lawson	Smith
Dawson	Lee	Sullivan
Diaz de la Portilla	Meek	Villalobos
Dyer	Miller	Wasserman Schultz
Futch	Mitchell	Webster
Garcia	Peaden	Wise
Geller	Posey	

Nays—1

Campbell

Vote after roll call:

Yea to Nay—Latvala

On motion by Senator Carlton, by two-thirds vote—

SB 110-B—A bill to be entitled An act making appropriations; providing appropriations and reductions in appropriations for the 2001-2002 fiscal year, to pay salaries, and other expenses, capital outlay – buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 110-B** was placed on the calendar of Bills on Third Reading.

On motion by Senator Carlton, by two-thirds vote—

SB 112-B—A bill to be entitled An act implementing the 2001-2002 supplemental appropriations act; amending s. 216.023, F.S.; providing directives for executive agencies and the judicial branch in adjusting performance measures and standards to respond to budgetary modifications; providing a directive to the Department of Juvenile Justice; amending s. 339.135, F.S.; requiring adjustment of the adopted work program of the Department of Transportation to include certain economic stimulus projects; limiting the use of funds for state-employee travel; providing an expiration date and an effective date.

—was read the second time by title.

Senator Carlton moved the following amendment which was adopted:

Amendment 1 (963700)—On page 2, line 18, delete that line and insert: Appropriations 441-446 of Senate Bill 110-B or similar legislation, paragraph (g) is

Pursuant to Rule 4.19, **SB 112-B** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Cowin, by two-thirds vote—

SB 114-B—A bill to be entitled An act relating to the Crime Stoppers Trust Fund; amending s. 16.555, F.S.; providing directives for use of moneys in the fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 114-B** was placed on the calendar of Bills on Third Reading.

On motion by Senator Cowin, by two-thirds vote—

SB 116-B—A bill to be entitled An act relating to the Florida Motor Vehicle Theft Prevention Trust Fund; amending s. 860.158, F.S.; providing directives for the use of moneys in the fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 116-B** was placed on the calendar of Bills on Third Reading.

COMMUNICATION

The Honorable John M. McKay, President October 30, 2001
The Florida Senate

Dear Mr. President:

In compliance with Article III, Section 19(d) of the Constitution and Joint Rule 2, copies of **SB 110-B** and **SB 112-B** have been furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet.

Delivery was completed October 30, 2001 at 11:50 a.m.

Respectfully submitted,
Faye W. Blanton, Secretary

ADOPTION OF RESOLUTIONS

On motion by Senator Jones—

By Senators Jones, Wise, Laurent, Saunders, Dyer, Futch, Holzendorf, Miller, Meek, Smith, Campbell, Crist, Sanderson, Posey, Sullivan, Latvala, Lee, McKay, Brown-Waite, Burt, Carlton, Clary, Constantine, Cowin, Dawson, Diaz de la Portilla, Garcia, Geller, King, Klein, Lawson, Mitchell, Peaden, Pruitt, Rossin, Sebesta, Silver, Villalobos, Wasserman Schultz and Webster—

SR 108-B—A resolution honoring the dedication of American rescue workers from many states of the Union who responded to the crisis following the terrorist attacks of September 11, 2001, expressing gratitude in particular to those who went to New York City, Washington, D.C., and Pennsylvania from Florida, and recognizing September 11 of each year as “Florida Rescue Workers’ Day.”

WHEREAS, the terrorist attacks of September 11, 2001, resulted in an unprecedented loss of innocent civilian life on American soil, and

WHEREAS, public safety officers immediately responded at the locations of the attacks, in New York City, Washington, D.C., and Pennsylvania, and were responsible for saving many lives, and

WHEREAS, the selfless dedication of many of these rescue workers led to the tragic loss of their lives, and

WHEREAS, 343 New York City Firefighters, 23 New York City Police Officers, and 37 Port Authority of New York and New Jersey Officers either died or are still missing, and

WHEREAS, 24 Urban Search and Rescue Teams from all over the United States, including 72 members of Florida’s Search and Rescue Teams, quickly reported to the affected areas to support local rescue and clean-up efforts and to help take the place of the rescue workers who had fallen in the line of duty, and

WHEREAS, the efforts of these individuals, and their immediate response at the affected areas, led to the loss of still more rescue workers’ lives in the service of their fellow Americans, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That, in recognition of the sacrifices made by these rescue workers in the face of unthinkable tragedy, the Florida Senate recognizes September 11 of each year as “Florida Rescue Workers’ Day.”

—was introduced out of order and read in full. On motion by Senator Jones, **SR 108-B** was read the second time by title and adopted. The vote on adoption was:

Yeas—40

Mr. President	Geller	Pruitt
Brown-Waite	Holzendorf	Rossin
Burt	Jones	Sanderson
Campbell	King	Saunders
Carlton	Klein	Sebesta
Clary	Latvala	Silver
Constantine	Laurent	Smith
Cowin	Lawson	Sullivan
Crist	Lee	Villalobos
Dawson	Meek	Wasserman Schultz
Diaz de la Portilla	Miller	Webster
Dyer	Mitchell	Wise
Futch	Peaden	
Garcia	Posey	

Nays—None

ANNOUNCEMENTS

Senator Lee announced that the following meetings were scheduled for Tuesday, October 30: from 1:45 p.m. to 3:45 p.m., the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; Judiciary; and Natural Resources; and from 4:00 p.m. to 6:00 p.m., the Committees on Agriculture and Consumer Services; Governmental Oversight and Productivity; Health, Aging and Long-Term Care; and Transportation.

Senator Lee announced that the following meetings were scheduled for Wednesday, October 31: from 9:00 a.m. to 11:00 a.m., the Committees on Banking and Insurance; Criminal Justice; and Education; and from 2:00 p.m. to 4:00 p.m., the Committees on Children and Families; Ethics and Elections; and Regulated Industries.

Senator Lee announced that the amendment deadline is two hours prior to each meeting.

Senator Lee announced a deadline of 5:00 p.m. Wednesday, October 31 for filing amendments to be considered at the session on Thursday, November 1.

REPORTS OF COMMITTEES

The Committee on Commerce and Economic Opportunities recommends committee substitutes for the following: SB 30-B, SB 32-B

The bills with committee substitutes attached were referred to the Committee on Appropriations under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Commerce and Economic Opportunities; and Senator Diaz de la Portilla—

CS for SB 30-B—A bill to be entitled An act relating to economic stimulus; amending s. 220.191, F.S.; establishing for a temporary period,

eligibility conditions for a new type of qualifying project under the capital investment tax credit program; providing deadlines for certification of businesses and commencement of project construction under such program; revising requirements relating to minimum capital investment; prescribing tax credit limitations; amending s. 288.095, F.S.; revising terminology relating to certain incentive payment schedules; revising the due date and content for an annual report on incentives and reassigning responsibility for such report to Enterprise Florida, Inc.; amending s. 288.1045, F.S.; expanding the tax refund program for qualified defense contractors to include qualified aviation-industry businesses; revising definitions; defining "aviation-industry business"; providing that qualified aviation-industry businesses may seek refunds for aviation fuel taxes paid; conforming procedures for applying for certification under the tax refund program; prescribing information required in applications by aviation-industry businesses; prescribing criteria to be used by the Office of Tourism, Trade, and Economic Development in reviewing applications by aviation-industry businesses; revising the required elements of a tax refund agreement; providing an exemption from mandatory loss of tax refund eligibility and decertification resulting from agreement breach in cases of uncontrollable economic factors; prescribing a deadline for applying for tax refunds; revising conditions and procedures governing applications for tax refunds; revising provisions relating to the order authorizing a tax refund; authorizing the office to grant extensions to certain application and notification deadlines; specifying that the section does not create a presumption a claim will be approved and paid; revising the agencies with which the office may verify information and to which the office may provide information; expanding purposes for which the office may seek assistance from certain entities; amending s. 288.106, F.S., relating to the tax refund program for qualified target industry businesses; consolidating definitions; revising requirements for application for certification as such business with respect to the number of current and new jobs at the business and projections by the Office of Tourism, Trade, and Economic Development of refunds based thereon; revising requirements relating to the tax refund agreement with respect to job creation and the time for filing of claims for refund; providing for an exemption from mandatory loss of tax refund eligibility and decertification resulting from agreement breach in cases of uncontrollable economic factors; revising provisions relating to annual claims for refund; authorizing an extension of time for signing the tax refund agreement; providing an application deadline; revising provisions relating to the order authorizing a tax refund; revising conditions under which a prorated tax refund will be approved; providing for calculation of such prorated tax refund; specifying that the section does not create a presumption that a claim will be approved and paid; revising the agencies with which the office may verify information and to which the office may provide information; expanding purposes for which the office may seek assistance from certain entities; specifying that certain appropriations may not be used for any purpose other than the payment of specified tax refunds; creating the Extended Homeownership Assistance Program within the Florida Housing Finance Corporation; providing for loans to eligible borrowers for down payments or closing costs related to the purchase of residences; providing for repayment of loans; authorizing a fee; requiring deposit and authorizing expenditure of certain revenues; requiring the adoption of rules; providing for future repeal; providing legislative findings relating to the impact of economic downturns on small businesses; directing Enterprise Florida, Inc., to provide for the establishment of a Small Business Crisis Management Team; prescribing the membership and purposes of such team; requiring participation of designated agencies or organizations; defining the term "small business"; creating ss. 332.201, 332.202, 332.203, 332.204, 332.205, 332.206, 332.207, 332.208, 332.209, 332.210, and 332.211, F.S.; creating the Florida Airport Authority Act; providing definitions; providing that certain counties shall form an airport authority; providing that certain former military facilities redeveloped and operated as an airport shall be redeveloped and operated by an authority under the act, and providing for membership of the governing body of such authorities; providing for appointment of members of the governing body of an authority; providing for officers, employees, expenses, removal from office, and application of financial disclosure provisions; providing purposes and powers of an authority; providing restrictions on authority powers; providing for issuance of bonds; providing that the county may be appointed as an authority's agent for construction; providing for acquisition of lands and property; providing for cooperation with other units, boards, agencies, and individuals; providing a covenant of the state with respect to bond issuance and agreements with federal agencies; providing an exemption from taxation; providing for applicability; requiring members of the authority to file financial disclosure; creating s. 121.155, F.S.; providing legislative findings relating to the

relationship between availability of capital and the development of high-technology businesses; expressing legislative intent that Florida Retirement System investments complement economic development strategies; requiring staff of the State Board of Administration to review certain economic development information; expanding annual report requirements; amending s. 159.26, F.S.; declaring, for purposes of the Florida Industrial Development Financing Act, that the information technology industry is vital to the economy of the state; providing that the advancement of information technology is a purpose underlying the act; amending s. 159.27, F.S.; redefining the term "project" to include information technology facilities; defining the term "information technology facility"; amending s. 159.705, F.S.; specifying that certain entities may operate a project located in a research and development park and financed under the Florida Industrial Development Financing Act; amending s. 240.105, F.S.; providing that the mission of the state system of postsecondary education includes supporting economic development of the state; amending s. 240.710, F.S.; revising duties relating to the Digital Media Education Coordination Group; eliminating obsolete provisions; providing for the group to submit an annual report; amending s. 288.108, F.S.; specifying that the information technology sector is a high-impact sector for the purposes of a grant program for investments by certain businesses; amending s. 445.045, F.S.; reassigning responsibility for development and maintenance of an information technology promotion and workforce recruitment website to Workforce Florida, Inc.; requiring consistency and compatibility with other information systems; authorizing Workforce Florida, Inc., to secure website services from outside entities; requiring coordination of the information technology website with other marketing, promotion, and advocacy efforts; authorizing Workforce Florida, Inc., to act through the Agency for Workforce Innovation in fulfilling its responsibilities related to the website; directing the agency to provide services to Workforce Florida, Inc.; providing legislative findings and intent relating to establishment of joint-use advanced digital-media research and production facilities; authorizing the Office of Tourism, Trade, and Economic Development to create a program supporting establishment of the facilities; prescribing the purposes of the facilities; specifying powers and duties of the office relating to establishment of the facilities; defining the term "digital media"; requiring a report to the Legislature on recommended funding levels for the facilities; amending s. 553.415, F.S.; delaying the date for inclusion of the Uniform Code for Public Education Facilities in the Florida Building Code; providing an effective date for the Florida Building Code; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; delaying the amendment, repeal, and transfer and renumbering of specified sections of the Florida Statutes; amending s. 627.0629, F.S.; delaying a deadline by which insurance companies are required to make certain rate filings; providing for the adoption of an administrative rule; providing for the treatment of permit applications submitted before the effective date of the code; requiring local jurisdictions to enact ordinances establishing wind speed lines; restricting the expenditure of public funds for tourism promotion; providing effective dates.

By the Committee on Commerce and Economic Opportunities; and Senator Diaz de la Portilla—

CS for SB 32-B—A bill to be entitled An act relating to public records; creating s. 288.1067, F.S.; creating a public records exemption for specified business information received under the tax refund programs for qualified defense contractors, qualified aviation-industry businesses, and qualified target-industry businesses; prescribing the time period for confidentiality; specifying that the exemption does not preclude publication of aggregate data or release of names of qualifying businesses and refund amounts; providing for future repeal and legislative review; providing a statement of public necessity; providing an effective date.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of October 25 was corrected and approved.

CO-SPONSORS

Senator Crist—CS for SB 58-B

VOTES RECORDED

Senator Crist was recorded as voting "yea" on the following bills which were considered October 25: **CS for SB 4-B, SB 34-B, SB 6-B, SB 8-B, SB 10-B, SB 12-B, SB 14-B, SB 16-B, CS for SB 20-B, CS for SB 22-B, CS for SB 24-B, and SB 54-B**; and was recorded as voting "nay" on the following bills which were considered October 25: **SB 18-B and CS for SB 26-B**.

RECESS

On motion by Senator Lee, the Senate recessed at 1:13 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene upon call of the President.

ADJOURNMENT

The Senate did not reconvene so the Special Session was adjourned sine die at 11:59 p.m., November 1.